

Letter O-7 – Gordon Pratt (EHL-O-6)

- O-7-1** The proposed Project is part of the larger Otay Ranch Master Plan, approved by the City and County in 1993. The relocation of the Resort Village to an alternative location outside of Otay Ranch would undermine the goals and objectives of the Otay SRP, including the loss of the resort village and the acquisition of land contemplated by the RMP. Section 15126.6(a) of the CEQA Guidelines states that an EIR must contain “a range of reasonable alternatives to the project, **or** [emphasis added] to the location of the project.” The EIR provides a reasonable range of project alternatives and is not required to include an alternative location in addition to that. Section 4.1.2 of the EIR contains an adequate discussion of why no alternative locations were selected.
- O-7-2** See Response to Comment O-7-1. The County disagrees with the commenter’s opinion regarding CEQA’s requirements as they relate to alternatives. While CEQA does require the identification of an “environmentally superior alternative,” CEQA does not require that the alternative that results in the fewest impacts be adopted. Other factors, including an alternative’s financial feasibility and ability to meet project objectives, must be considered.
- O-7-3** The County acknowledges and appreciates the comment. It will be included as part of the FEIR and will be considered by the decision makers. However, the comment does not present any issue or make any substantive comment about the adequacy of the DEIR; for that reason, no further response is needed or required.
- O-7-4** The County does not concur with the comment that the proposed Project and alternatives would likely result in QCB population decline and possible extirpation. The Project applicant, County, and resource agencies have worked cooperatively to design the Project and develop measures to avoid and minimize impacts to QCB to the greatest extent feasible. See Global Response R4: Quino Checkerspot Butterfly. The proposed Project has provided mitigation for this species through habitat preservation and the Quino Amendment to the MSCP (See DEIR, Summary, page S-23, mitigation measure M-BI-9b). In addition, rationale for selecting the alternatives is discussed in the DEIR and Alternative G is considered the environmentally superior alternative.
- O-7-5** As described in the Biological Resources Technical Report (page 14), QCB surveys were conducted in 1998, 1999, 2000, 2004, and 2008. At the request of the USFWS, a focused survey was also conducted in 2016 to address resiliency of the QCB population post-drought and to provide detailed density mapping of the QCB host plant population. See the revised Biological Resources Technical report for the survey results details. Those surveys followed the most current USFWS guidelines available for the survey year (1999, 2000, and 2002 guidelines). Each survey included mapping and recording of the host plant for QCB per the protocol methods provided by the USFWS. The mapping effort covered all of the plant species that have been identified as host plants, including those species identified by the commenter.

That the maps ultimately did not show any locations for these other host plant species indicates that these species were not observed. In other words, if a particular plant was present, it would have been mapped. During each focused survey conducted from 1998 through 2008, the host plant of QCB was mapped. These surveys included identification and assessment of host plant,

including larval food plants and nectar sources (Dudek 1998I, 1999). A survey conducted in 2004 also focused on host plant, stating (Dudek 2004): "Plantago erecta was mapped as it was observed throughout the 2004 flight season (Figure 3)". For the 2008 survey, the following method was used (Dudek 2008): "The methodology for mapping the QCB host plant locations and populations consisted of recording population locations during the survey or during periods when conditions were not appropriate for surveying for QCB (too cold or too windy). Aerial photographs of each survey area were provided to each biologist and the locations were recorded directly onto the 200-scale map. Locations may also have been recorded using GPS. For each location recorded as a point, attributes also were recorded that indicated if the population was dense (plants touching) or sparse (plants not touching). For patches larger than 1 acre, a polygon was drawn on the map or recorded using GPS and the same attribute was recorded." The 2008 survey followed the 2002 QCB survey protocol, which was the protocol to be used at the time. The methods included mapping of host plant, adult, and larvae (only if observed) and the plant communities. Nectar species were not required to be mapped. If larvae had been observed, they would have been mapped.

- O-7-6** See Response to Comment O-14-15 for information regarding cumulative impacts to QCB.
- O-7-7** See Response to Comment O-7-4. In addition, per the impact analysis for QCB, the evaluation of acreage is based on the *suitable* habitat and not strictly *critical* habitat since it is possible for critical habitat to be composed of areas that are not suitable. Likewise, there could be areas outside of critical habitat that are suitable for the species. Thus, the most conservative evaluation was provided with the largest acreage used for the impact analysis. The Biological Resources Technical Report, Section 5.1.5 provides the analysis of the impacts on QCB with a correction provided on the acreage calculation: The total acreage of critical habitat impacted is 549.6 acres within the Otay Unit, which is composed of 34,941 acres of which the impact for the proposed Project is 1.6percent. However, based on the areas within the project site that are concluded to be suitable for QCB due to presence of suitable habitat or host plant, the proposed Project would result in 483 acres of impacts to QCB habitat. The QCB Management/Enhancement Plan, prepared as part of the DEIR, includes as mitigation measure M-BI-9b a 2:1 preservation of suitable habitat for impacts to QCB, for a total of 966 acres. The project proposes to include 962 acres of currently suitable or occupied coastal sage scrub and 4 additional acres of QCB habitat restoration equaling 966 acres of total QCB habitat mitigation, meeting the mitigation ratios that have been used for previous projects and approved by the USFWS. This acreage is available onsite within the proposed Preserve and has been documented as being occupied by QCB in previous surveys. In addition, as noted in Section 4 of the Biological Resources Technical Report, the project proposed a MSCP Boundary Adjustment to improve the preservation of QCB and their habitat.
- O-7-8** The County concurs with the statement regarding edge effects and their detrimental impacts on QCB habitat. Protection of Preserve lands is addressed in the Otay Ranch Resort Village Preserve Edge Plan (see Appendix C-23). Specifically, mitigation measure M-BI-1f (Fencing and Signage) requires appropriate fencing around all open space edges. The location of proposed fencing and signage is provided in Appendix C-3 (see map pocket Proposed Fencing, Preserve Signage, and Fuel Modification Zones with Proposed Development Footprint). The commenter also states that

proximity to human populations is strongly correlated with prior QCB extirpation events. The commenter cites the publication “Changing distribution patterns of an endangered butterfly: Linking local extinction patterns and variable habitat relationships” (Preston, *Biological Conservation* 152 [2012]: 280–290), which reviews the history of extirpation of populations of the QCB. The factors related to extirpation include agricultural history, human population growth, climate variability, topographical diversity, and reduction of wildflower abundance. According to the publication, extirpated populations are associated with a history of more intensive agriculture and greater human population growth. A long history of intensive livestock grazing is the strongest predictor of extinction related to agriculture. Isolation from other source populations also is typically correlated with extirpated butterfly populations, based on vegetation maps. Extirpation occurs in landscapes fragmented by cultivation and development. Loss of host plants and decline of nectar sources occurs across the butterfly’s range because of invasive plants and habitat loss. The project will not include many of the factors that resulted in the extirpation cited in Preston (2012). There will be no grazing, no trampling of larvae by cattle, and no recreational activities.

Once the 1,015 acres are conveyed to the Preserve Owner Manager (POM), the habitat will be managed and enhanced to preclude non-native invasive plant species. The Preserve will be managed not by a regional County-governed staff but rather by the POM. The Preserve will also be managed in accordance with mitigation measure M-BI-9b, the QCB Management/Enhancement Plan. The Preserve includes habitat features that are used and important to QCB, including host plant, nectar source, and shrub cover as well as open areas, ridgelines, and hilltops. The Preserve includes flat and sloped topography and varying aspects. There is connectivity to the north, east, and south and QCB are documented within all of those locations as well as to the west. Thus, although proximity to human population would occur as a result of the proposed Project, with the implementation of the Otay Ranch Resort Village Preserve Edge Plan, the QCB Management/Enhancement Plan, and the conveyance of the Preserve to the POM, the Preserve would be managed to preclude and avoid the features that the Preston (2012) publication discusses as leading to the extirpation of the species.

O-7-9 The County acknowledges and appreciates the comment. It will be included as part of the FEIR and considered by the decision makers. However, the comment does not present any issue or make any substantive comment about the adequacy of the DEIR; for that reason, no further response is needed or required.

O-7-10 The County acknowledges and appreciates the comment. It will be included as part of the FEIR and considered by the decision makers. However, the comment does not present any issue or make any substantive comment about the adequacy of the DEIR; for that reason, no further response is needed or required.

O-7-11 The County acknowledges and appreciates the comment. It will be included as part of the FEIR and considered by the decision makers. However, the comment does not present any issue or make any substantive comment about the adequacy of the DEIR; for that reason, no further response is needed or required.

O-7-12 The County acknowledges and appreciates the inclusion of references cited within the comment letter. The comment will be included as part of the FEIR. However, this does not raise any new issue or make any new substantive comment concerning the adequacy of the DEIR. For that reason, the County provides no further response to this comment.

O-7-13 The County acknowledges and appreciates the inclusion of notes pertaining to the letter. The notes will be included as part of the FEIR. However, this does not raise any new issue or make any new substantive comment concerning the adequacy of the DEIR. For that reason, the County provides no further response to this comment. Cumulative impacts on QCB are specifically discussed in Response to Comment O-14-15.

O-7-14 The County acknowledges and appreciates the inclusion of qualifications. The qualifications will be included as part of the FEIR. However, this does not raise any new issue or include any new substantive comment concerning the adequacy of the DEIR. For that reason, the County provides no further response to this comment. See Response to Comment O-15-55 for more detail.